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EXAMINER	
BELL, MELTIN	
ART UNIT	**PAPER NUMBER**
2121	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/035,712	MORRIS ET AL.	
	Examiner	Art Unit	
	Meltin Bell	2121	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *08 November 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-31* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-31* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *18 November 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

This action is responsive to application **10/035,712** filed **11/08/2001**.

Claims 1-31 have been examined.

Specification

The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is required in correcting any errors of which applicant may become aware in the specification.

The disclosure is objected to because of the following informalities:

- 'members 54' would read well as 'members 54, 74' on page 12, line 26
- 'are hampers' on page 13, lines 15-17 makes the meaning of the sentence unclear
- 'and' on page 14, line 9 makes the meaning of the sentence unclear
- 'and persists' on page 16, lines 15-17 makes the meaning of the sentence unclear
- 'persisted' on page 16, line 19 makes the meaning of the sentence unclear
- 'may expanded' on page20, lines 16-17 would read well as 'may be expanded'
- 'action' on page 24, line 14 would read well as 'actions"

Appropriate correction is required.

Claim Objections

Claims 21 and 31 are objected to because of the following informalities:

Regarding claim 21:

- 'to the automatically' would read well as 'to automatically' on page 28, line 15

Regarding claim 31

- 'to the automatically' would read well as 'to automatically' on page 30, line 15

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the Office presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the Office to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Hansen* "Flexible test environment for automatic test equipment" U.S. Patent Number 6,128,759 (October 3, 2000) in view of *Noser et al* "Dynamic 3D visualization of database-defined tree structures on the WWW by using rewriting systems" (8-9 June 2000) and in further view of *Weinberg et al* "Software system and methods for testing the functionality of a transactional server" USPN 6,360,332 (Patented March 19, 2002; Filed June 21, 1999).

Regarding claim 1:

Hansen teaches,

- determining a sequence of one or more actions associated with a member selection tree, the actions collectively selecting one or more members from a hierarchy of members (Abstract, "A flexible test ... distributed tester architecture"; Figs. 3A-E; column 3, lines 33-38, "It would therefore ... the user interface")
- the sequence of actions in a member selection script (column 11, lines 18-27, "The end leaf ... a similar manner"; column 13, lines 60-67, "The test engineer ... the test engineer"; column 14, "lines 1-12, "can select LOOP ... to start execution")
- executing the member selection script to select one or more members after the hierarchy of members has been modified (column 14, lines 48-67, "After the trees ...

newly created trees"; column 15, lines 1-6, "The production worker ... tree are executed")

However, *Hansen* doesn't explicitly teach the hierarchy of members being associated with a particular dimension of an organization of data or recording the sequence of actions in a member selection script while *Noser et al* teaches,

- the hierarchy of members being associated with a particular dimension of an organization of data (Abstract, "This paper presents ... models, for instance"; page 248, left column, paragraph 2, "The designers of ... relationships between cells" and Fig. 1; page 250, left column, paragraph 1, "We can say ... a symbolic object"; Table 5 on pages 250 and 251)

Weinberg et al teaches,

- recording the sequence of actions in a member selection script (Abstract, "A testing tool ... other data sets"; Figs. 6A-C)

Motivation - The portions of the claimed method would have been a highly desirable feature in this art for

- Exploiting spatial memory, landmarks, perspective and neighborhood cues (*Noser et al*, page 248, left column, paragraph 2, "The designer of ... relationships between cells")
- Editing tests without knowing a scripting or other programming language (*Weinberg et al,* Abstract, Abstract, "A testing tool ... other data sets")

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify *Hansen* as taught by *Noser et al* and *Weinberg et al* for

the purpose of exploiting spatial memory, landmarks, perspective and neighborhood cues as well as editing tests without knowing a scripting or other programming language.

Regarding claim 2:

The rejection of claim 2 is the same as that for claim 1 as recited above since the stated limitations are set forth in the references.

Regarding claim 3:

The rejection of claim 3 is the same as that for claim 1 as recited above since the stated limitations are set forth in the references.

Regarding claim 4:

The rejection of claim 4 is similar to that for claim 1 as recited above since the stated limitations are set forth in the references. Claim 4's limitations difference is taught in *Noser et al*:

- selecting the hierarchy from which members are to be selected (page 249, left column, paragraph 1, "In order to ... given by Figure 2")

Regarding claim 5:

The rejection of claim 5 is similar to that for claim 1 as recited above since the stated limitations are set forth in the references. Claim 5's limitations difference is taught in *Hansen*:

- selecting or deselecting one or more levels of the hierarchy from which members are to be selected, the members being selectable only from selected levels (column 7, lines 13-31, "The tester operator ... the minus sign 310"; column 13, lines 60-67, "The test

engineer ... the test engineer"; column 14, "lines 1-12, "can select LOOP ... to start execution")

Regarding claim 6:

The rejection of claim 6 is similar to that for claim 1 as recited above since the stated limitations are set forth in the references. Claim 6's limitations difference is taught in *Hansen*:

- one or more of the actions comprise expanding a member to view the children of the member (column 7, lines 13-31, "The tester operator ... the minus sign 310")
- the selection of an expanded member causing only the selection of the expanded member (column 13, lines 60-67, "The test engineer ... the test engineer"; column 14, "lines 1-12, "can select LOOP ... to start execution")

Regarding claim 7:

The rejection of claim 7 is similar to that for claim 1 as recited above since the stated limitations are set forth in the references. Claim 7's limitations difference is taught in *Weinberg et al*:

- one or more of the actions comprise collapsing a member to hide the children of the member (Figs. 3A, 5E)

Hansen:

- the selection of an expanded member causing only the selection of the expanded member (column 7, lines 13-38, "The tester operator ... be visually expanded"; column 13, lines 60-67, "The test engineer ... the test engineer"; column 14, "lines 1-12, "can select LOOP ... to start execution")

Regarding claim 8:

The rejection of claim 8 is similar to that for claim 1 as recited above since the stated limitations are set forth in the references. Claim 8's limitations difference is taught in *Hansen*:

- one or more of the actions comprise selecting or deselecting one or more members from the hierarchy (column 7, lines 13-31, "The tester operator ... the minus sign 310"; column 13, lines 60-67, "The test engineer ... the test engineer"; column 14, "lines 1-12, "can select LOOP ... to start execution")

Noser et al:

- one or more of the actions comprise selecting or deselecting one or more members from the hierarchy (page 249, left column, paragraph 1, "In order to ... given by Figure 2")

Regarding claim 9:

The rejection of claim 9 is similar to that for claim 1 as recited above since the stated limitations are set forth in the references. Claim 9's limitations difference is taught in *Weinberg et al*:

- the one or more actions are recorded in the member selection script using one or more commands, the commands and one or more parameters associated with each command identifying the one or more actions (column 23, lines 4-24, "The testing tool ... a similar fashion")

Regarding claim 10:

The rejection of claim 10 is similar to that for claim 1 as recited above since the stated limitations are set forth in the references. Claim 10's limitations difference is taught in *Weinberg et al*:

- a user manually generates the member selection script (column 14, lines 46-53, "Various options exist ... all form arguments")

Regarding claim 11:

The rejection of claim 11 is the same as that for claim 1 as recited above since the stated limitations are set forth in the references.

Regarding claim 12:

Hansen teaches,

- determine a sequence of one or more actions associated with a member selection tree, the actions collectively selecting one or more members from a hierarchy of members (Abstract, "A flexible test ... distributed tester architecture"; Figs. 3A-E; column 3, lines 33-38, "It would therefore ... the user interface")

- the sequence of actions in a member selection script (column 11, lines 18-27, "The end leaf ... a similar manner"; column 13, lines 60-67, "The test engineer ... the test engineer"; column 14, "lines 1-12, "can select LOOP ... to start execution")

- execute the member selection script to select one or more members after the hierarchy of members has been modified (column 14, lines 48-67, "After the trees ... newly created trees"; column 15, lines 1-6, "The production worker ... tree are executed")

However, *Hansen* doesn't explicitly teach the hierarchy of members being associated with a particular dimension of an organization of data or recording the sequence of actions in a member selection script while *Noser et al* teaches,

- the hierarchy of members being associated with a particular dimension of an organization of data (Abstract, "This paper presents ... models, for instance"; page 248, left column, paragraph 2, "The designers of ... relationships between cells" and Fig. 1; page 250, left column, paragraph 1, "We can say ... a symbolic object"; Table 5 on pages 250 and 251)

Weinberg et al teaches,

- record the sequence of actions in a member selection script (Abstract, "A testing tool ... other data sets"; Figs. 6A-C)

Motivation - The portions of the claimed system would have been a highly desirable feature in this art for

- Exploiting spatial memory, landmarks, perspective and neighborhood cues (*Noser et al*, page 248, left column, paragraph 2, "The designer of ... relationships between cells")
- Editing tests without knowing a scripting or other programming language (*Weinberg et al,* Abstract, Abstract, "A testing tool ... other data sets")

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify *Hansen* as taught by *Noser et al* and *Weinberg et al* for the purpose of exploiting spatial memory, landmarks, perspective and neighborhood

cues as well as editing tests without knowing a scripting or other programming language.

Regarding claim 13:

The rejection of claim 13 is the same as that for claim 12 as recited above since the stated limitations are set forth in the references.

Regarding claim 14:

The rejection of claim 14 is the same as that for claim 12 as recited above since the stated limitations are set forth in the references.

Regarding claim 15:

The rejection of claim 15 is similar to that for claim 12 as recited above since the stated limitations are set forth in the references. Claim 15's limitations difference is taught in *Noser et al*:

- selecting the hierarchy from which members are to be selected (page 249, left column, paragraph 1, "In order to ... given by Figure 2")

Regarding claim 16:

The rejection of claim 16 is similar to that for claim 12 as recited above since the stated limitations are set forth in the references. Claim 16's limitations difference is taught in *Hansen*:

- selecting or deselecting one or more levels of the hierarchy from which members are to be selected, the members being selectable only from selected levels (column 7, lines 13-31, "The tester operator ... the minus sign 310"; column 13, lines 60-67, "The test

engineer ... the test engineer"; column 14, "lines 1-12, "can select LOOP ... to start execution")

Regarding claim 17:

The rejection of claim 17 is similar to that for claim 12 as recited above since the stated limitations are set forth in the references. Claim 17's limitations difference is taught in *Hansen*:

- one or more of the actions comprise expanding a member to view the children of the member (column 7, lines 13-31, "The tester operator ... the minus sign 310")
- the selection of an expanded member causing only the selection of the expanded member (column 13, lines 60-67, "The test engineer ... the test engineer"; column 14, "lines 1-12, "can select LOOP ... to start execution")

Regarding claim 18:

The rejection of claim 18 is similar to that for claim 12 as recited above since the stated limitations are set forth in the references. Claim 18's limitations difference is taught in *Weinberg et al*:

- one or more of the actions comprise collapsing a member to hide the children of the member (Figs. 3A, 5E)

Hansen:

- the selection of an expanded member causing only the selection of the expanded member (column 7, lines 13-38, "The tester operator ... be visually expanded"; column 13, lines 60-67, "The test engineer ... the test engineer"; column 14, "lines 1-12, "can select LOOP ... to start execution")

Regarding claim 19:

The rejection of claim 19 is similar to that for claim 12 as recited above since the stated limitations are set forth in the references. Claim 19's limitations difference is taught in *Hansen*:

- one or more of the actions comprise selecting or deselecting one or more members from the hierarchy (column 7, lines 13-31, "The tester operator ... the minus sign 310"; column 13, lines 60-67, "The test engineer ... the test engineer"; column 14, "lines 1-12, "can select LOOP ... to start execution")

Noser et al:

- one or more of the actions comprise selecting or deselecting one or more members from the hierarchy (page 249, left column, paragraph 1, "In order to ... given by Figure 2")

Regarding claim 20:

The rejection of claim 20 is similar to that for claim 12 as recited above since the stated limitations are set forth in the references. Claim 20's limitations difference is taught in *Weinberg et al*:

- the one or more actions are recorded in the member selection script using one or more commands, the commands and one or more parameters associated with each command identifying the one or more actions (column 23, lines 4-24, "The testing tool ... a similar fashion")

Regarding claim 21:

The rejection of claim 21 is the same as that for claim 12 as recited above since the stated limitations are set forth in the references.

Regarding claim 22:

Hansen teaches,

- determine a sequence of one or more actions associated with a member selection tree, the actions collectively selecting one or more members from a hierarchy of members (Abstract, "A flexible test ... distributed tester architecture"; Figs. 3A-E; column 3, lines 33-38, "It would therefore ... the user interface")
- the sequence of actions in a member selection script (column 11, lines 18-27, "The end leaf ... a similar manner"; column 13, lines 60-67, "The test engineer ... the test engineer"; column 14, "lines 1-12, "can select LOOP ... to start execution")
- execute the member selection script to select one or more members after the hierarchy of members has been modified (column 14, lines 48-67, "After the trees ... newly created trees"; column 15, lines 1-6, "The production worker ... tree are executed")

However, *Hansen* doesn't explicitly teach the hierarchy of members being associated with a particular dimension of an organization of data or recording the sequence of actions in a member selection script while *Noser et al* teaches,

- the hierarchy of members being associated with a particular dimension of an organization of data (Abstract, "This paper presents ... models, for instance"; page 248, left column, paragraph 2, "The designers of ... relationships between cells" and Fig. 1;

page 250, left column, paragraph 1, "We can say ... a symbolic object"; Table 5 on pages 250 and 251)

Weinberg et al teaches,

- record the sequence of actions in a member selection script (Abstract, "A testing tool ... other data sets"; Figs. 6A-C)

Motivation - The portions of the claimed system would have been a highly desirable feature in this art for

- Exploiting spatial memory, landmarks, perspective and neighborhood cues (*Noser et al*, page 248, left column, paragraph 2, "The designer of ... relationships between cells")
- Editing tests without knowing a scripting or other programming language (*Weinberg et al,* Abstract, Abstract, "A testing tool ... other data sets")

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify *Hansen* as taught by *Noser et al* and *Weinberg et al* for the purpose of exploiting spatial memory, landmarks, perspective and neighborhood cues as well as editing tests without knowing a scripting or other programming language.

Regarding claim 23:

The rejection of claim 23 is the same as that for claim 22 as recited above since the stated limitations are set forth in the references.

Regarding claim 24:

The rejection of claim 24 is the same as that for claim 22 as recited above since the stated limitations are set forth in the references.

Regarding claim 25:

The rejection of claim 25 is similar to that for claim 22 as recited above since the stated limitations are set forth in the references. Claim 25's limitations difference is taught in *Noser et al*:

- selecting the hierarchy from which members are to be selected (page 249, left column, paragraph 1, "In order to ... given by Figure 2")

Regarding claim 26:

The rejection of claim 26 is similar to that for claim 22 as recited above since the stated limitations are set forth in the references. Claim 26's limitations difference is taught in *Hansen*:

- selecting or deselecting one or more levels of the hierarchy from which members are to be selected, the members being selectable only from selected levels (column 7, lines 13-31, "The tester operator ... the minus sign 310"; column 13, lines 60-67, "The test engineer ... the test engineer"; column 14, "lines 1-12, "can select LOOP ... to start execution")

Regarding claim 27:

The rejection of claim 27 is similar to that for claim 22 as recited above since the stated limitations are set forth in the references. Claim 27's limitations difference is taught in *Hansen*:

- one or more of the actions comprise expanding a member to view the children of the member (column 7, lines 13-31, "The tester operator ... the minus sign 310")

- the selection of an expanded member causing only the selection of the expanded member (column 13, lines 60-67, "The test engineer ... the test engineer"; column 14, "lines 1-12, "can select LOOP ... to start execution")

Regarding claim 28:

The rejection of claim 28 is similar to that for claim 22 as recited above since the stated limitations are set forth in the references. Claim 28's limitations difference is taught in *Weinberg et al*:

- one or more of the actions comprise collapsing a member to hide the children of the member (Figs. 3A, 5E)

Hansen:

- the selection of an expanded member causing only the selection of the expanded member (column 7, lines 13-38, "The tester operator ... be visually expanded"; column 13, lines 60-67, "The test engineer ... the test engineer"; column 14, "lines 1-12, "can select LOOP ... to start execution")

Regarding claim 29:

The rejection of claim 29 is similar to that for claim 22 as recited above since the stated limitations are set forth in the references. Claim 29's limitations difference is taught in *Hansen*:

- one or more of the actions comprise selecting or deselecting one or more members from the hierarchy (column 7, lines 13-31, "The tester operator ... the minus sign 310";

column 13, lines 60-67, "The test engineer ... the test engineer"; column 14, "lines 1-12, "can select LOOP ... to start execution")

Noser et al:

- one or more of the actions comprise selecting or deselecting one or more members from the hierarchy (page 249, left column, paragraph 1, "In order to ... given by Figure 2")

Regarding claim 30:

The rejection of claim 30 is similar to that for claim 22 as recited above since the stated limitations are set forth in the references. Claim 30's limitations difference is taught in *Weinberg et al*:

- the one or more actions are recorded in the member selection script using one or more commands, the commands and one or more parameters associated with each command identifying the one or more actions (column 23, lines 4-24, "The testing tool ... a similar fashion")

Regarding claim 31:

The rejection of claim 31 is the same as that for claim 22 as recited above since the stated limitations are set forth in the references.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- *Hansen*; USPN 6,128,759; Flexible test environment for automatic test equipment

- *Weinberg et al*; USPN 6,360,332; Software system and methods for testing the functionality of a transactional server

- *Noser et al*; Dynamic 3D visualization of database-defined tree structures on the WWW by using rewriting systems; Second International Workshop on Advanced Issues of E-Commerce and Web-Based Information Systems; 8-9 June 2000; pp 247-254

- *Maddocks et al*; USPN 6724409 B1; Tree-based graphical user interface for creating and editing machine control sequences

- *Secor et al*; USPN 6694362 B1; Method and system for network event impact analysis and correlation with network administrators, management policies and procedures

- *Goiffon et al*; USPN 6453312 B1;System and method for developing a selectably-expandable concept-based search

- *Livingston et al*; USPN 6424979 B1; System for presenting and managing enterprise architectures

- *Maslov*; USPN 6466240 B1; Method for visually writing programs or scripts that transform structured text presented as a tree

- *Alden*; USPN 5418888 A; System for revelance criteria management of actions and values in a rete network

- *Maslov*; USP Application Number 20020049882; System and method for automatic retrieval of structured online documents

Any inquiry concerning this communication or earlier communications from the Office should be directed to Meltin Bell whose telephone number is 703-305-0362. This Examiner can normally be reached on Mon - Fri 7:30 am - 4:30 pm.

If attempts to reach this Examiner by telephone are unsuccessful, his supervisor, Anthony Knight, can be reached on 703-308-3179. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Anthony Knight
Supervisory Patent Examiner
Group 3600

MB